

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

FILED  
U.S. DISTRICT COURT

2006 FEB -6 P 3:05

DISTRICT OF UTAH

BY: \_\_\_\_\_  
DEPUTY CLERK

CLEARONE COMMUNICATIONS, INC.,  
and EDWARD D. BAGLEY,

Plaintiffs,

vs.

LUMBERMENS MUTUAL CASUALTY  
COMPANY and NATIONAL UNION FIRE  
INSURANCE COMPANY OF  
PITTSBURGH, PA.,,

Defendants.

ORDER ADOPTING  
REPORT AND RECOMMENDATION

Case No. 2:04 CV 119 TC

This matter is before the court on Defendant National Union's Motion for Attorneys' Fees, Motion for Non-Statutory Costs and Expenses, and Bill of Costs . The matter was referred to United States Magistrate Judge David Nuffer. Judge Nuffer issued a Report and Recommendation in which he concluded that National Union was entitled to its Bill of Costs in the full amount of \$43,975.60. Judge Nuffer recommended granting in part and denying in part the Motion for Non-Statutory Costs and Expenses. Specifically, Judge Nuffer concluded that the videotaping expense in the amount of \$14,965.03 be allowed and all other costs and expenses disallowed. Judge Nuffer further recommended that the motion for attorneys' fees be denied. The parties were given ten days from the date of the Report and Recommendation to file

objections; neither party filed objections.

The court has conducted a *de novo* review of the issues and agrees with Judge Nuffer's recommendations. Accordingly, the Report and Recommendation is adopted as the order of this court and Defendant National Union is awarded judgment against Plaintiffs in the amount of \$58,940.72. National Union is directed to prepare a proposed judgment in compliance with this order.

DATED this 6th day of February, 2006.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL  
United States District Judge